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17 February 1994
Our ref:JHB/CS/32584
Your ref:PM1322 CIP II

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For the attention of Kevin B. Osborne Esq.

Dear Jim and Kevin,

PM 1322 CIPII EPO - Our file: 32584

Following my fax message of 15th February and my subsequent telephone conversation with Kevin on the same date I have completed and filed a response and amendment in this case. A copy of the response and the new claims is enclosed.

As agreed, I have presented a new claim 1 which includes the feature of original claim 4 and a new independent claim 8 which corresponds to original claim 9 and necessarily includes the features of original claims 7 and 8 as well. We will wait to see whether the Examiner will accept amended claim 1 and, if he does, whether he will require division to maintain the second independent claim.

We discussed on the telephone the situation of Figs. 1 to 13 and the associated description in the present application because they largely repeat the disclosure of PM 1322 CIPI, which had already been published in Europe and constitutes reference D1 in the present action. National practice in many European countries would require the repetitive material to be deleted from the later application, although the European Examiner has made no suggestion along these lines. Nevertheless, drastic shortening of the specification would make considerable economies in the cost of translation at the issue stage of the present case.

As agreed, I have mentioned the possibility to the Examiner and asked for his guidance. This may lead us towards an answer to this question which would be satisfactory to all parties.

I will report again when we have the reaction of the Examiner to the amended claims.

Yours sincerely,

for J.H.Bass

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